

ORIGINAL

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK
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 INNOVATUS CAPITAL PARTNERS, LLC,

USDC SDNY
 DOCUMENT
 ELECTRONICALLY FILED
 DOC #: 18-cv-07142-LLS
 DATE FILED: 11/15/21

Plaintiff,

18 Civ. 4252 (LLS)

- against -

JONATHAN NEUMAN, ANTONY MITCHELL,
 RITZ ADVISORS, LLC, GREG WILLIAMS,

ORDER

DARYL CLARK and AMANDA ZACHMAN,

Defendants.

- - - - - X
 MV REALTY, PBC, LLC,

18 Civ. 7142 (LLS)

Plaintiff,

- against -

INNOVATUS CAPITAL PARTNERS, LLC,

Defendant.

- - - - - X

Innovatus writes to supplement MV Realty's October 25, 2021 letter motion to seal (Dkt. No. 219) portions of MV's response (Dkt. No. 220) to Innovatus's October 11, 2021 letter (Dkt. No. 207). See Dkt. No. 227.

Considering Innovatus's supplemental letter, the Court grants MV's letter motion to seal. The letter response (Dkt. No. 220) may be filed with the proposed redactions, and Exhibit 4 may be filed wholly under seal. The Court previously agreed that the information contained in Exhibit 4 discloses "business thought processes and reveals, to some degree, the roadmap Innovatus has used and continues to use in its RTL business",

and therefore, it may remain sealed at this stage, as long as it is understood that the temporarily protected information may ultimately need to be revealed at trial.

MV also writes in response to Innovatus's November 5, 2021 letter motion to seal (Dkt. No. 229), stating that it does not seek to seal the information redacted by Innovatus in its November 5, 2021 letter motion (Dkt. No. 228), with the exception of Exhibit F, which MV describes as a patent license agreement with a third party that includes "a confidentiality provision and identifies terms on which the third party was willing to grant the license to MV". See Dkt. No. 231.

While the attached agreement does include a section prohibiting the disclosure of "confidential information" (as defined in the agreement in Section 9), that provision does not render the agreement itself, or any terms contained therein, confidential. Therefore, the Court does not find justification for sealing Exhibit F and Innovatus's letter motion to seal (Dkt. No. 229), as supplemented by MV's letter (Dkt. No. 231), is denied.

So Ordered.

Dated: New York, New York
November 15, 2021

Louis L. Stanton
LOUIS L. STANTON
U.S.D.J.